

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

JASON EUGENE MINCY,	:	Case No. 1:20-cv-822
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Michael R. Barrett
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
HAMILTON COUNTY JUSTICE	:	
CENTER, <i>et al.</i> ,	:	
	:	
Defendants.	:	

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**ORDER**

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In October 2020, Plaintiff, a former inmate at the Hamilton County Justice Center (HCJC), filed a prisoner civil rights complaint pursuant to 42 U.S.C. § 1983. (Doc. #s 1, 3). Upon initial review, United States Magistrate Judge Karen L. Litkovitz concluded that Plaintiff’s “complaint is deserving of further development and may proceed at this juncture.” (Doc. #4, *PageID* #43) (citing 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b)). However, after Plaintiff discovered the full names of the HCJC Defendants, Magistrate Judge Litkovitz ordered Plaintiff to file an amended complaint with their full names.<sup>1</sup> (Doc. #46, *PageID* #333). Plaintiff subsequently filed his Amended Complaint against Defendants Deputy Kevin Wade, Deputy Steven Tannreuther, Sergeant Shenessa Murrell, and Nurse Jane Doe. (Doc. #51).

This matter is before the Court for a *sua sponte* review of Plaintiff’s Amended Complaint to determine whether the complaint, or any portion of it, should be dismissed because it is frivolous,

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<sup>1</sup> Additionally, Magistrate Judge Litkovitz ordered, “Once he learns the full name of ‘Nurse Elesson’ through discovery, plaintiff will be required to file an amended complaint against this defendant.” (Doc. #46, *PageID* #333).

malicious, fails to state a claim upon which relief may be granted or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b).

In the Amended Complaint, Plaintiff alleges that several officers, including Defendants Wade and Tannreuther, used excessive force against him following a dispute over his cell assignment. (Doc. #51, *PageID* #356). According to Plaintiff, the officers slammed him onto a metal bed while he was handcuffed. *Id.* at 357. Defendant Wade “landed his knee on [Plaintiff’s] back very hard where he kept it.” *Id.* Defendant Tannreuther placed his knee on Plaintiff’s neck and “whacked [him] with a hard object on the right side of [his] head ....” *Id.* Defendants and/or other officers twisted his wrists and feet. *Id.* Plaintiff further alleges that he was denied medical treatment for his injuries by Defendants Murrell and Nurse Jane Doe following the incident. *Id.* at 358-59.

Having conducted this initial review, the Court finds that dismissal under 28 U.S.C. §§ 1915, 1915A is not warranted at this stage of the litigation. Accordingly, and having been advised by the Clerk of Courts that Plaintiff has already submitted the necessary service forms, the United States Marshal is **ORDERED** to make service of process in this case under Fed. R. Civ. P. 4(c)(3). All costs of service shall be advanced by the United States.

IT IS SO ORDERED

June 17, 2022

*s/Peter B. Silvain, Jr.*

Peter B. Silvain, Jr.  
United States Magistrate Judge